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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

APPELLANT: Petkovsek

SERIAL NO.: 09/852,184

ATTY. DOCKET NO.: USA-P-01-002

EXAMINER: Henderson

FILING DATE: May 9, 2001

GROUP ART: 3722

INVENTION: "A SPECIAL SERVICE MAILING LABEL CAPABLE OF
RECEIVING ELECTRONICALLY IMAGED POSTAGE AND A
METHOD FOR USING SAME"

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APPELLANT'S APPEAL BRIEF

SIR:

This Appeal Brief is submitted in support of the Notice of Appeal filed on August 8, 2003. The Appeal was taken from the Final Rejection dated February 13, 2003.

I. REAL PARTY IN INTEREST

Glenn Petkovsek is the real party in interest as the inventor of this application. No assignment has been filed or recorded in the U.S. Patent Office regarding ownership interest of this application.

II. RELATED APPEALS AND INTERFERENCES

No other appeals or interferences are known to Appellant or Appellant's legal representative which will directly affect, be directly affected by, or have a bearing on the Board's decision in this appeal.

III. STATUS OF CLAIMS

Claims 1-7 are pending in this patent application. A copy of the claims is appended hereto as the Appendix. Claims 1-7 were finally rejected by the Patent Office in a final rejection dated February 13, 2003 and are hereby on appeal. The Final Rejection is attached hereto as Exhibit A of the Supplemental Appendix.

IV. STATUS OF AMENDMENTS

All amendments have been entered in this patent application.

V. SUMMARY OF INVENTION

The present invention generally relates to a mailing form which may be configured to allow printing of mailing information and postage information simultaneously wherein the postage information may be one of a plurality of types of known electronic postage. (Page 4, lines 33-38)

A form 1 is provided which may have two layers. A top layer 110 may have a front side 2 and a back side 120. The back side 120 of the top layer 110 may have an adhesive layer 130. The adhesive layer 130 may be uniform along the back side 120 of the form 1. The form 1 may have a bottom layer 140 having a back side 150 and a top side 160. Adjacent to the top side 160 of the bottom layer 150 may be a layer 170 of non-adhesive material. (Page 4, lines 2-10)

In addition, the present invention may provide a first stamp subsection 14 or a second stamp subsection 16. The first stamp

subsection 14 or the second stamp subsection 16 may contain, for example, electronically-imaged postage which may be imaged by a printer or the like. (Page 6, lines 5-9) The postage may be accessed over the internet. The postage may then be downloaded into a central processing unit or the like. An image of the postage may then be transmitted to a printer for printing onto the label. The particular subsection on the form 1 which receives the electronic postage may be determined by the particular internet postage provider accessed by a user. The user may have a particular account with an internet provider for payment of the postage. The first stamp subsection 14 or the second stamp subsection 16 may then be removed after printing of the postage and affixed to a mailpiece. (Page 6, lines 11-24)

Moreover, the first stamp subsection 14 and the second stamp subsection 16 may be sized to receive only certain types of postage from a particular internet postage provider. The form 1 may be used if the internet postage provider with which the user has an account provides electronic postage sized to fit within the first stamp subsection 14 or the second stamp subsection 16. Of course, the form 1 may be adapted to fit other sizes of electronic postage and/or additional sizes of electronic postage. (Page 6, lines 10-34) One of a first type of electronically-imaged postage or a second type of electronically-imaged postage is necessary to effect the delivery of the mailpiece by the special service.

VI. ISSUES

1. Would Claims 1-7 have been unpatentable under the judicially created doctrine of obviousness-type double patenting over Claims 1 and 4 of U.S. Patent No. 6,089,613 to *Petkovsek* in view of PAP US 2002/0103697 to *Lockhart et al.*? See *Petkovsek* (U.S. Patent No. 6,089,613) attached as Exhibit B and *Lockhart et al.* (PAP US 2002/0103697) attached as Exhibit C.

2. Would Claims 1 and 2 have been obvious under 35 U.S.C. §103(a) to one having ordinary skill in the art at the time of Appellant's invention over *Crandall et al.* (U.S. Patent No. 5,782,494)? See *Crandall et al.* (U.S. Patent No. 5,782,494) attached as Exhibit D.

3. Would Claims 3-7 have been obvious under 35 U.S.C. §103(a) to one having ordinary skill in the art at the time of Appellant's invention over *Crandall et al.* in view of *Petkovsek*.

VII. GROUPING OF CLAIMS

Appellant argues for the patentability of dependent Claims 2-7 separately and apart from independent Claim 1 from which Claims 2-7 depend.

VIII. ARGUMENT

The invention as defined in independent Claim 1 requires a form for delivery of a mailpiece by a special service. The form has a first layer having a front side and a back side. The front side of the first layer has a plurality of parts. A first part receives a first type of electronically-imaged postage accessed

over a global computer network. A second part receives a second type of electronically-imaged postage accessed over a global computer network. The first type of electronically-imaged postage is different from the second type of electronically-imaged postage. Moreover, one of the first type of electronically-imaged postage or the second type of electronically-imaged postage is necessary to effect the delivery of the mailpiece by the special service. Claims 2-7 set forth additional structural elements of Appellant's form.

A. THE CITED REFERENCES AND REJECTIONS OF CLAIMS 1-7

Claims 1-7 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1 and 4 of U.S. Patent. No. 6,089,613 to *Petkovsek* in view of PAP US 2002/0103697 to *Lockhart et al.*

In the Final Rejection, the Patent Office stated:

"Petkovsek discloses in Claims 1 and 4, a form having a first layer made up of a plurality of parts with a front side and a backside, wherein the front side receives indicia, and the backside comprises removable adhesive; and a second layer having a front side with a non-adhesive layer, wherein one of the plurality of parts receives special service mail information, sender information, and recipient information; and a post card section.

However, *Petkovsek* does not disclose a first part of the plurality of parts receiving electronically-imaged postage accessed over a global computer network necessary to effect delivery of the mailpiece; and a second part receives a

second type of electronically-imaged postage accessed over a global computer network necessary to effect delivery of the mailpiece.

Lockhart et al. disclose in Fig. 8, a form comprising a electronically-imaged postage accessed over a global network.

Further, it has been held that when the claimed printed matter is not functionally related to the substrate it will not distinguish the invention from the prior art in terms of patentability. *In re Gulack* 217 USPQ 401, (CAFC 1983). The fact that the content of the printed matter placed on the substrate may render the device more convenient by providing an end user with a specific type of form does not alter the functional relationship. Mere support by the substrate for the printed matter is not the kind of functional relationship necessary for patentability. Thus, there is no novel and unobvious functional relationship between the printed matter and the substrate that is required for patentability.

(See Final Rejection, page 4, line 1 to page 5, line 14 of Exhibit A of the Supplemental Appendix.)

B. PETKOVSEK OR LOCKHART ET AL., TAKEN SINGLY OR IN COMBINATION, DO NOT TEACH OR SUGGEST CLAIMS 1-7, AND IT WOULD NOT HAVE BEEN OBVIOUS TO COMBINE PETKOVSEK AND LOCKHART ET AL. TO ONE HAVING ORDINARY SKILL IN THE ART AT THE TIME OF APPELLANT'S INVENTION

With respect to the rejection of Claims 1-7 under 35 U.S.C. §103(a) as being unpatentable over *Petkovsek* in view of *Lockhart et al.*, Appellant respectfully submits that the claims distinctly define the present invention from *Petkovsek* and *Lockhart et al.*, taken singly or in combination, for the reasons that follow.

Claim 1 requires a first layer having a front side and a back side wherein the front side of the first layer has a plurality of parts. A first part receives a first type of electronically-imaged postage accessed over a global computer network. A second part receives a second type of electronically-imaged postage accessed over a global computer network. The first type of electronically-imaged postage is different from the second type of electronically-imaged postage. Additionally, one of the first type of electronically-imaged postage or the second type of electronically-imaged postage is necessary to effect the delivery of the mailpiece by the special service.

The Examiner admits that *Petkovsek* does not disclose a first part of the plurality of parts which receives electronically-imaged postage accessed over a global computer network necessary to effect delivery of the mailpiece and a second part of the plurality of parts which receive electronically-imaged postage accessed over a global computer network necessary to effect delivery of a mailpiece. The Examiner alleges *Lockhart et al.* disclose a form having electronically-imaged postage accessed over a global computer network.

However, neither *Petkovsek* nor *Lockhart et al.*, taken singly or in combination, teach or suggest a form for delivery of a mailpiece by a special service having a first part which receives a first type of electronically-imaged postage accessed over a global computer network and having a second part which receives a

second type of electronically-imaged postage accessed over a global computer network as required by Claim 1. Further, neither *Petkovsek* nor *Lockhart et al.*, taken singly or in combination, teach or suggest a form for delivery of a mailpiece by a special service having a first type of electronically-imaged postage which is different from the second type of electronically-imaged postage as required by Claim 1. Still further, neither *Petkovsek* nor *Lockhart et al.*, taken singly or in combination, teach or suggest a form for delivery of a mailpiece by a special service wherein one of the first type of electronically-imaged postage or the second type of electronically-imaged postage is necessary to effect the delivery of the mailpiece by the special service as required by Claim 1.

Rather, the form taught by *Petkovsek* merely has a plurality of parts which receive special service mail information, sender information and recipient information. Further, the system in *Lockhart et al.* is a distribution system for generating and delivering mail items which receives a postage marking. *Lockhart et al.* do not teach or suggest a form which is capable of receiving a plurality of types of electronically-imaged postage wherein the types of electronically-imaged postage are different. Accordingly, a person of ordinary skill in the art would never have been motivated to modify the teachings of *Petkovsek* with *Lockhart et al.* to achieve that defined by Claim 1 of the present invention.

With respect to the Examiner's allegation that the limitation

"wherein the electronically-imaged information is necessary to effect the delivery of the mailpiece" does not structurally limit the claim, Appellant submits that the electronically-imaged information is necessary to effect the delivery of the mailpiece by the special service and, therefore, structurally limits the claim. More specifically, the present invention, as defined by Claim 1, specifically sets forth a form for delivery of a mailpiece by a special service that requires one of a first type of electronically-imaged postage or a second type of electronically-imaged postage to effect the delivery of the mailpiece by the special service. Appellant asserts that a functional relationship between the electronically-imaged postage and the form is inherent in that the postage is required on the form to effect delivery of the form via the special service.

Petkovsek and Lockhart et al. relate only to a label/form for receiving and displaying of information relating to shipment and handling of an article for delivery by a special service and a generating system for generating and delivering mail items having an electronically-imaged postage mark accessed over a global network. Absolutely no teaching or suggestion is provided for a label/form and generating system wherein a first electronically-imaged postage or a second type of electronically-imaged postage may be provided and wherein either type of postage is necessary to effect the delivery of a mailpiece by the special service as required by Claim 1. Moreover, a form which may receive one of a

first electronically-imaged postage or a second type of electronically-imaged postage which is necessary to effect the delivery of a mailpiece by the special service is essential to the present invention and structurally limits Claim 1.

An obviousness-type double patenting requires rejection of an application claim when the claimed subject matter is not patentably distinct from the subject matter claimed in a commonly owned patent when the issuance of a second patent would provide unjustified extension of the term of the right to exclude granted by a patent. Eli Lilly & Co. v. Barr Labs., Inc., 251 F.3d 955, 58 USPQ2d 1865 (Fed. Cir. 2001).

A double patenting rejection of the obviousness-type is "analogous to [a failure to meet] the non-obviousness requirement of 35 U.S.C. §103" except that the patent principally underlying the double patenting rejection is not considered prior art. In re Braithwaite, 379 F.2d 594, 154 USPQ (CCPA 1967). Therefore, any analysis employed in an obviousness-type double patenting rejection parallels the guidelines for analysis of a 35 U.S.C. §103 obviousness determination. In re Braat, 937 F.2d 589, 19 USPQ2d 1289 (Fed. Cir. 1991).

If the application at issue is the later filed application or both are filed on the same day, only a one-way determination of obviousness is needed in resolving the issue of double patenting, i.e., whether the invention defined in a claim in the application is an obvious variation of the invention defined in a claim in the

patent. In re Berg, 46 USPQ2d 1226 (Fed. Cir. 1998).

Neither *Petkovsek* nor *Lockhart et al.*, taken singly or in combination, teach or suggest a form for delivery of a mailpiece by a special service or and a second type of electronically-imaged postage are necessary to effect the delivery of the mailpiece by the special service and further wherein the first type of electronically-imaged postage is different from the second type of electronically-imaged postage. Furthermore, a person of ordinary skill in the art would never have been motivated to combine the teachings of *Petkovsek* with *Lockhart et al.* in the manner suggested by the Examiner in formulating the rejection under the judicially created doctrine of obviousness-type double patenting. Accordingly, the rejection of Claims 1-7 under 35 U.S.C. §103(a) is improper.

C. THE CITED REFERENCES AND REJECTION OF CLAIMS 1 AND 2

Claims 1 and 2 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Crandall et al.* (U.S. Patent No. 5,782,494).

In the Final Rejection, the Examiner stated that *Crandall et al.* disclose:

a first layer (21) having a front side (26) and a back side (22) wherein the front side has a plurality of parts (various sections divided by die-cut) which receive indicia; a second layer (25) having a front side (A) with a non-adhesive layer (Col. 5, lines 4-17), wherein the plurality of parts are removably secured (by adhesive 27).

(See Final Rejection, page 6, lines 8-11 of Exhibit A of the Supplemental Appendix.)

D. CRANDALL ET AL. DO NOT TEACH OR SUGGEST CLAIMS 1 AND 2 OF THE PRESENT INVENTION AND IT WOULD NOT HAVE BEEN OBVIOUS TO ONE HAVING ORDINARY SKILL IN THE ART TO MODIFY CRANDALL ET AL. AT THE TIME OF APPELLANT'S INVENTION

Claims 1 and 2 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Crandall et al.* Appellant respectfully submits that Claims 1 and 2 distinctly define the present invention from *Crandall et al.* for the reasons that follow.

Claim 1 requires a form having a first part which receives a first type of electronically-imaged postage accessed over a global computer network and a second part which receives a second type of electronically-imaged postage accessed over a global computer network. By admission of the Examiner, *Crandall et al.* do not disclose the plurality of parts which receive electronically-imaged postage accessed over a global network wherein the electronically-imaged information is necessary to effect the delivery of the mailpiece. Moreover, Appellant asserts that no teaching or suggestion is provided in *Crandall et al.* for accessing electronically-imaged postage over a global network. *Crandall et al.* merely teach a template stored on a personal computer. No teaching or suggestion exists in *Crandall et al.* for accessing information from a location remote from the personal computer, such as over a global computer network. Accordingly, a person of

ordinary skill in the art would not have been motivated to modify *Crandall et al.* to achieve that defined by Claims 1 and 2 of the present invention.

Further, the Examiner alleges that Claim 1 is unpatentable for allegedly having an insufficient functional relationship between indicia and substrate. However, as set forth above, Claim 1 requires a form having a first part which may receive a first type of electronically-imaged postage accessed over a global computer network and a second part which may receive a second type of electronically-imaged postage accessed over a global computer network. The first type of electronically-imaged postage is different from the second type of electronically-imaged postage. Appellant submits that receiving a first type of electronically-imaged postage in a first part of the form or receiving a second type of electronically-imaged postage in a second part of the form is functionally related to the substrate. As specifically required by Claim 1, the first type and the second type of electronically-imaged postage which are received by the first part and the second part of the form, respectively, are functionally related to the form because one of the first type of electronically-imaged postage or the second type of electronically-imaged postage is necessary to effect the delivery of the mailpiece by the special service. Accordingly, Appellant asserts that Claim 1 provides a functional relationship between indicia and substrate.

Claim 2 defines the form as further having a second layer

having a front side with a non-adhesive layer wherein each of the plurality of parts is removably secured to the non-adhesive layer.

Nowhere do *Crandall et al.* teach or suggest a form having a plurality of parts receiving a first type of postage or a second type of postage wherein the form also has a second layer having a front side with a non-adhesive layer wherein each of the plurality of parts is removably secured to the non-adhesive layer. Therefore, Claim 2 would not have been obvious to one of ordinary skill in the art at the time of Appellant's invention in view of *Crandall et al.* Accordingly, the rejection under 35 U.S.C. §103(a) in view of *Crandall et al.* is improper.

Moreover, a person of ordinary skill in the art would never have been motivated to modify the teaching of *Crandall et al.* in the manner suggested by the Patent Office in formulating the rejection under 35 U.S.C. §103(a).

It is submitted that the question under §103 is whether the totality of the art would collectively suggest the claimed invention to one of ordinary skill in this art. In re Simon, 461 F.2d 1387, 174 USPQ 114 (CCPA 1972).

That elements, even distinguishing elements, are disclosed in the art is alone insufficient. It is common to find elements somewhere in the art. Moreover, most if not all elements perform their ordained and expected functions. The test is whether the invention as a whole, in light of the teachings of the reference in its entirety, would have been obvious to one of ordinary skill in

the art at the time the invention was made. Connell v. Sears, Roebuck & Co., 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983).

It is insufficient that the art disclosed components of Appellant's invention. A teaching, suggestion, or incentive must exist to make the combination made by Appellant. Interconnect Planning Corp. v. Feil, 774 F.2d 1132, 1143, 227 USPQ 543, 551 (Fed. Cir. 1988).

Even assuming that one having ordinary skill in the art could somehow have modified *Crandall et al.* as set forth by the Examiner, the resultant modification still lacks the critical features and structural relationships positively recited in Claims 1 and 2.

E. THE CITED REFERENCES AND REJECTION OF CLAIMS 3-7

Claims 3-7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Crandall et al.* (U.S. Patent No. 5,782,494) in view of *Petkovsek* (U.S. Patent. No. 6,089,613). In the Final Rejection, the Examiner stated:

Crandall et al. disclose a form comprising all the elements as claimed in Claim 1, and as set forth above. However, *Crandall et al.* do not disclose: one of the plurality of parts receiving special service information, sender information and recipient information; a postcard section; and a special mailing service section.

Petkovsek discloses in Fig. 1, a form comprising a plurality of parts which can receive special service information, sender information, and recipient information (Col. 5, lines 1-16).

Therefore, it would have been obvious to one having ordinary skill in

the art at the time the invention was made to modify *Crandall et al.*'s form to include mailing information as taught by *Petkovsek* for the purpose of tracking an article upon which the form parts are applied.

(See Final Rejection, page 7, lines 7-17 of Exhibit A of the Supplemental Appendix.)

F. CRANDALL ET AL. AND PETKOVSEK DO NOT TEACH OR SUGGEST CLAIMS 3-7, AND IT WOULD NOT HAVE BEEN OBVIOUS TO ONE OF ORDINARY SKILL IN THE ART TO COMBINE CRANDALL ET AL. AND PETKOVSEK AT THE TIME OF APPELLANT'S INVENTION

Claims 3-7 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Crandall et al.* in view of *Petkovsek*. Appellant respectfully submits that Claims 3-7 distinctly define the present invention from *Crandall et al.* or *Petkovsek*, taken singly or in combination, for the reasons that follow.

Claim 3 requires a form having all of the features of Claim 1, wherein one of the plurality of parts of the form receives special service mail information. Nowhere do *Crandall et al.* and *Petkovsek* teach or suggest a form having a plurality of parts receiving a first type of postage or a second type of postage wherein the form also contains a part which receives special service mail information. Therefore, Claim 3 would not have been obvious to one of ordinary skill in the art at the time of Appellant's invention in view of *Crandall et al.* and *Petkovsek*. Accordingly, the rejection of Claim 3 under 35 U.S.C. §103(a) in view of *Crandall et*

al. and *Petkovsek* is improper.

Claim 4 requires a postcard subsection. Nowhere do *Crandall et al.* or *Petkovsek* teach or suggest a form having a plurality of parts receiving a first type of postage or a second type of postage wherein the form also has a postcard subsection. Therefore, Claim 4 would not have been obvious to one of ordinary skill in the art at the time of Appellant's invention in view of *Crandall et al.* and *Petkovsek*. Accordingly, the rejection of Claim 4 under 35 U.S.C. §103(a) in view of *Crandall et al.* and *Petkovsek* is improper.

Claim 5 requires a special mailing service section that receives special mailing service information. Nowhere do *Crandall et al.* and *Petkovsek* teach or suggest a form having a plurality of parts receiving a first type of postage or a second type of postage wherein the form also has a special mailing service section that receives special mailing service information. Therefore, Claim 5 would not have been obvious to one of ordinary skill in the art at the time of Appellant's invention in view of *Crandall et al.* and *Petkovsek*. Accordingly, the rejection of Claim 5 under 35 U.S.C. §103(a) in view of *Crandall et al.* and *Petkovsek* is improper and should be withdrawn.

Claim 6 requires that one of the plurality of parts receive sender information. Nowhere do *Crandall et al.* and *Petkovsek* teach or suggest a form having a plurality of parts receiving a first type of postage or a second type of postage wherein one of the

plurality of parts receives sender information. Therefore, Claim 6 would not have been obvious to one of ordinary skill in the art at the time of Appellant's invention in view of *Crandall et al.* and *Petkovsek*. Accordingly, the rejection of Claim 6 under 35 U.S.C. §103(a) in view of *Crandall et al.* and *Petkovsek* is improper.

Claim 7 requires that one of the plurality of parts receives recipient information. Nowhere do *Crandall et al.* and *Petkovsek* teach or suggest a form having a plurality of parts receiving a first type of postage or a second type of postage wherein one of the plurality of parts receives recipient information. Therefore, Claim 7 would not have been obvious to one of ordinary skill in the art at the time of Appellant's invention in view of *Crandall et al.* and *Petkovsek*. Accordingly, the rejection of Claim 7 under 35 U.S.C. §103(a) in view of *Crandall et al.* and *Petkovsek* is improper.

Moreover, a person of ordinary skill in the art would never have been motivated to combine *Crandall et al.* with *Petkovsek* in the manner suggested by the Examiner in formulating the rejection under 35 U.S.C. §103(a).

It is submitted that the question under §103 is whether the totality of the art would collectively suggest the claimed invention to one of ordinary skill in this art. In re Simon, 461 F.2d 1387, 174 USPQ 114 (CCPA 1972).

That elements, even distinguishing elements, are disclosed in the art is alone insufficient. It is common to find elements

somewhere in the art. Moreover, most if not all elements perform their ordained and expected functions. The test is whether the invention as a whole, in light of the teachings of the reference in its entirety, would have been obvious to one of ordinary skill in the art at the time the invention was made. Connell v. Sears, Roebuck & Co., 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983).

It is insufficient that the art disclosed components of Appellant's invention. A teaching, suggestion, or incentive must exist to make the combination made by Appellant. Interconnect Planning Corp. v. Feil, 774 F.2d 1132, 1143, 227 USPQ 543, 551 (Fed. Cir. 1988).

Even assuming that one having ordinary skill in the art could somehow have combined *Crandall et al.* with *Petkovsek* as set forth by the Examiner, the resultant combination still lacks the critical features and structural relationships positively recited in Claims 3-7. Therefore, the rejection of Claims 3-7 under 35 U.S.C. §103(a) is improper.

CONCLUSION

For the foregoing reasons, Appellant respectfully submits that the rejections of Claims 1-7 are erroneous as a matter of law and

fact and respectfully requests the Board to reverse the rejections.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. Mattson', is written over a horizontal line.

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1) APPENDIX: Claims 1-7

2) SUPPLEMENTAL APPENDIX

EXHIBIT A: Final Rejection

EXHIBIT B: *Petkovsek* (U.S. Patent No. 6,089,613)

EXHIBIT C: *Lockhart et al.* (PAP US 2002/0103697)

EXHIBIT D: *Crandall et al.* (U.S. Patent No. 5,782,494)

APPENDIX: Claims 1-7

1. A form for delivery of a mailpiece by a special service, the form comprising:

a first layer having a front side and a back side wherein the front side of the first layer has a plurality of parts and further wherein a first part receives a first type of electronically-imaged postage accessed over a global computer network and further wherein a second part receives a second type of electronically-imaged postage accessed over a global computer network wherein the first type of electronically-imaged postage is different from the second type of electronically-imaged postage and further wherein one of the first type of electronically-imaged postage and the second type of electronically-imaged postage is necessary to effect the delivery of the mailpiece by the special service.

2. The form of Claim 1 further comprising:

a second layer having a front side with a non-adhesive layer wherein each of the plurality of parts is removably secured to the non-adhesive layer.

3. The form of Claim 1 wherein one of the plurality of parts receives special service mail information.

4. The form of Claim 1 further having:

a postcard subsection.

5. The form of Claim 1 further comprising a special mailing service section that receives special mailing service information.

6. The form of Claim 1 wherein one of the plurality of parts receives sender information.

7. The form of Claim 1 wherein one of the plurality of parts receives recipient information.

SUPPLEMENTAL APPENDIX

EXHIBIT A: Final Rejection

EXHIBIT B: *Petkovsek* (U.S. Patent No. 6,089,613)

EXHIBIT C: *Lockhart et al.* (PAP US 2002/0103697)

EXHIBIT D: *Crandall et al.* (U.S. Patent No. 5,782,494)